



**Town of Tyngsborough  
Board of Appeals**

Town Hall-25 Bryants Lane  
Tyngsborough, Ma 01879-1003  
(978) 649-2300, Ext. 112

**APPROVED**

**Board of Appeals Meeting Minutes for May 12, 2011**

Members present: Robb Kydd, Chairman, Chris Mechalides, Cheryl Bradley, Claire Cloutier, Joseph Polin, Scott Bordeleau, Alternate and Donna McPartlan, Administrative Assistant.

6:30PM: Meeting called to order by Chairman Robb Kydd

**Kenneth and Lisa Moore – 21 Audrey Ave.;** Assessors Map 31, Lot 32-11; request a Variance of Section 2.12.15 of the Zoning By-Law to install a 15'x26' oval above ground swimming pool, no deck in an R-2 Zone. *Advertised in the Lowell Sun on Thursday, March 24, 2011 and Thursday, April 7, 2011.*

Members hearing and voting on first hearing Robb Kydd, Claire Cloutier, Cheryl Bradley, Joe Polin and Scott Bordelau.

The Legal Notice was read. Town Boards notified. Abutters Notified. No abutters were present for or against the applicant. Claire Cloutier made Motion to waive reading the abutters list. Cheryl Bradley Seconded the motion.

|                 |     |
|-----------------|-----|
| Robb Kydd       | AYE |
| Cheryl Bradley  | AYE |
| Claire Cloutier | AYE |
| Joe Polin       | AYE |
| Scott Bordelau  | AYE |

**Vote 5-0 – unanimous**

Application presented by Kenneth and Lisa Moore requesting 15'x26' pool in fenced yard for summer recreation. They are looking for 10' relief on side yard and 12'6" rear yard relief.

Discussion that this is not detrimental to the neighborhood or neighbors. Moore's state there is no intention to extend deck. There were no issues raised in comments from other departments or Boards.

Motioned to close the public portion of the hearing by Joe Polin, Seconded by Cheryl Bradley.

|                 |     |
|-----------------|-----|
| Robb Kydd       | AYE |
| Cheryl Bradley  | AYE |
| Claire Cloutier | AYE |
| Joe Polin       | AYE |
| Scott Bordelau  | AYE |

**Vote 5-0 – unanimous**

Motion to **APPROVE** request for Variance of Zoning By-Laws 2.12.47 to allow to build 15'x26' rectangular above ground pool and allow 10' rear side relief and 12'6" rear side relief of lot as proposed by Joe Polin, Seconded by Scott Bordeleau.

|                 |     |
|-----------------|-----|
| Robb Kydd       | AYE |
| Cheryl Bradley  | AYE |
| Claire Cloutier | AYE |
| Joe Polin       | AYE |
| Scott Bordelau  | AYE |

**Vote 5-0 – unanimous**

**Executive Session** - The Board may move to go into Executive Session to discuss the strategy with respect to litigation if an open meeting may have a detrimental effect on such subject matter

Motion to go into Executive Session by Rob Kydd, Second by Joe Polin to return to Open Session only to adjourn.

|                  |     |
|------------------|-----|
| Robb Kydd        | AYE |
| Chris Mechalides | AYE |
| Cheryl Bradley   | AYE |
| Claire Cloutier  | AYE |
| Joe Polin        | AYE |
| Scott Bordelau   | AYE |

**Vote 6-0 – unanimous**

The board entered into Executive Session at 6:50PM.

**Administrative:**

Next Meeting: June 9, 2011

Motion to Adjourn

**6-0, Motion to adjourn – unanimous**

Meeting adjourned